



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

James M. Howell et al.

SERIAL NO.: 10/735,462

CASE NO: CH2756 US DIV2

FILED: December 12, 2003

GROUP ART UNIT: 1732

FOR: Partially Oriented  
Poly(Trimethylene Terephthalate) Yarn

EXAMINER: LEO B. TENTONI

**THIRD INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. §§ 1.56, 1.97 (b) and 1.98, Applicants bring to the attention of the Examiner the documents listed on the attached PTO/SB/08 A and B Forms.

An earlier Information Disclosure Statement listed the application numbers for two patents by mistake and the publication numbers are cited herein. JP 56-200227 to Teijin was published as JP58-104216 on 6/21/83. KR 1996-067992 to SK Chemical Corporation was published as KR98-049300 on 9/15/98. Copies of JP58-104216 and KR98-049300 are enclosed for the Examiner's convenience.

Applicants submit the U.S. patents issued from some of the patent applications previously cited.

It is noted that Applicants previously filed a copy of an Opposition filed against counterpart Opposition Taiwanese Serial No. 090104895P01. Applicants are now submitting the Defense Statement submitted to the Taiwanese Intellectual Property Office (IPO) on 5 November 2004, along with sets of claims filed in the Taiwanese Intellectual Property Office (IPO) during November 2004, December 2004 and January 2005.

It is noted that Oppositions papers and claims from counterpart applications are considered by the U.S. Patent Office when filed in Information Disclosure Statements, but that the PTO SB 8 forms listing them frequently are returned with these items crossed off because they are not the type of documents usually listed on the front of a patent. Therefore, Applicants will assume that these items were considered by the Examiner if crossed off on the returned PTO SB 8 form unless the Examiner indicates on the record that they have not been considered.

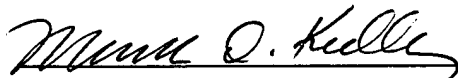
This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and Applicant determine that the cited document(s) do not constitute "prior art" under United States law, Applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over against the claims of the present application.

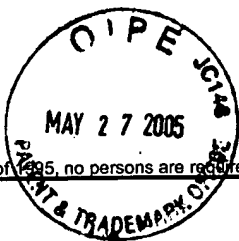
The Commissioner is hereby authorized to charge any fee for filing this Information Disclosure Statement or credit any overpayment to Deposit Account No. 04-1928 (E.I. du Pont de Nemours and Company).

Respectfully submitted,

Date: May 24, 2005

By: 

Mark D. Kuller  
Reg. No. 31,925  
Phone: (302) 892-1354  
Fax: (302) 892-7995



PTO/SB/08A (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

**Complete if Known**

Application Number	10/735,462
Filing Date	December 12, 2003
First Named Inventor	James M. Howell
Art Unit	1732
Examiner Name	Tentoni
Attorney Docket Number	CH2756 US DIV2

Sheet 1 of 2

**U. S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
		US- 6,066,714	05-23-2000	PUTZIG	
		US- 6,538,076	03-25-2003	Giardino	
		US- 6,245,844	06-12-2001	KURIAN	
		US- 6,576,340	06-10-2003	Sun	
		US- 6,255,442	07-03-2001	Kurian	
		US- 6,353,062	03-05-2002	Giardino	
		US- 6,350,895	02-26-2002	Kurian	
		US- 6,383,632	05-07-2002	Howell	
		US- 6,663,806	12-16-2003	Howell	
		US- 6,482,484	11-19-2002	Brown	
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			

**FOREIGN PATENT DOCUMENTS**

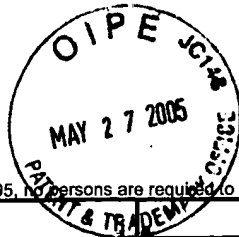
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)				
		JP 58-104216	06-21-1983	Teijin Co.		✓
		KR 1998-049300(A)	09-15-1998	S.K. Chemical		✓

Examiner  
SignatureDate  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.



PTO/SB/08B (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

**Complete if Known**

<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)	<b>Application Number</b>	10/735,462
	<b>Filing Date</b>	December 12, 2003
	<b>First Named Inventor</b>	James M. Howell
	<b>Art Unit</b>	1732
	<b>Examiner Name</b>	LEO B. TENTONI
<b>Sheet</b> 2 <b>of</b> 2	<b>Attorney Docket Number</b>	CH2756 US DIV2

**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		Opposition Defense Statement submitted to the Taiwanese Intellectual Property Office (IPO) on 5 November 2004 in Serial No. 090104895P01	✓
		English Translation of ROC (Taiwan) Patent Application No. 090104895 Amended Claims (January 2005)	✓
		English Translation of ROC (Taiwan) Patent Application No. 090104895 Amended Claims (December 2004)	✓
		English Translation of ROC (Taiwan) Patent Application No. 090104895 Amended Claims (November 2004)	✓

<b>Examiner Signature</b>		<b>Date Considered</b>	
-------------------------------	--	----------------------------	--

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.